Ord #2 **ORDINANCE NO. 99-** 9

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, REPEALING ORDINANCES 96-8 AND 96-30, PALM BEACH COUNTY AMENDMENTS TO THE STANDARD BUILDING, GAS, MECHANICAL AND PLUMBING CODES, 1994 EDITION; ADOPTING THE PALM BEACH COUNTY AMENDMENTS TO THE STANDARD BUILDING, GAS AND MECHANICAL CODES, 1997 EDITION; ADOPTING THE SECOND AMENDMENTS TO THE STANDARD PLUMBING CODE, 1994 EDITION; PROVIDING FOR APPLICABILITY; PROVIDING FOR SAVINGS CLAUSE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 125 of the Florida Statutes empower counties to provide for the health, safety and general welfare including the enactment and enforcement of construction and related technical standards and regulations; and

WHEREAS, pursuant to Chapter 90-445, Laws of Florida, as amended, Palm Beach County has adopted by Ordinance the Standard Building, Gas and Mechanical Codes, 1997 edition and the Standard Plumbing Code, 1994 edition; and

WHEREAS, Chapter 90-445, Laws of Florida, as amended, authorizes Palm Beach County to adopt by ordinance, amendments to modify and improve its construction codes to meet local conditions, provided that said amendments do not lower the standards of the minimum code adopted; and

WHEREAS, the adoption of these amendments will be in the public interest by strengthening the Standard Building, Gas and Mechanical Codes, 1997 edition, and the Standard Plumbing Code, 1994 edition, for the health, safety and general welfare of citizens in the unincorporated area of Palm Beach County; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendments comply with all requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1 - REPEAL OF THE PALM BEACH COUNTY AMENDMENTS TO THE STANDARD BUILDING, GAS MECHANICAL, AND PLUMBING CODES, 1994 EDITION

The Palm Beach County Amendments to the Standard Building, Gas, Mechanical and Plumbing Codes, 1994 edition, Ordinances 96-8 and 96-30, as amended, is hereby repealed.

SECTION 2 - ADOPTION OF PALM BEACH COUNTY AMENDMENTS TO THE STANDARD BUILDING, GAS AND MECHANICAL CODES, 1997 EDITION, AND THE SECOND AMENDMENTS TO THE STANDARD PLUMBING CODE, 1994 EDITION

The Palm Beach County Amendments to the Standard Building, Gas and Mechanical Codes, 1997 edition, and the Palm Beach County Second Amendments to the Standard Plumbing Code, 1994 edition, hereto attached, are hereby adopted and incorporated herein.

SECTION 3 - APPLICABILITY

The Standard Building, Gas and Mechanical Codes, 1997 edition, and the Standard Plumbing Code, 1994 edition, as amended by the attached amendments shall be the minimum construction standards for the unincorporated areas of Palm Beach County and for those municipalities within Palm Beach County for which the Palm Beach County Planning, Zoning and Building Department provides construction code plan review and inspection services pursuant to intergovernmental agreement. This ordinance shall apply as far as possible to any future editions of the Standard Building, Gas, Mechanical and Plumbing Codes, which may be adopted by the State or County for Palm Beach County, until such time as Palm Beach County may adopt new amendments.

SECTION 4 - REPEAL OF LAWS IN CONFLICT

Ordinances 96-8 and 96-30 are hereby repealed and all ordinances, or parts of ordinances of Palm Beach County , Florida, which are in conflict are hereby repealed. All or any part of those local laws which pertain to Palm Beach County, Florida, which conflict with this ordinance or parts of this ordinance are hereby repealed.

SECTION 5 - SAVINGS CLAUSE

All provisions of Ordinances 96-8 and 96-30 as originally enacted and amended, are specifically preserved and remain in full force and effect for the limited purpose of enforcing any alleged violation of said ordinances, which violations occurred prior to their repeal.

SECTION 6 - SEVERABILITY

If any section, paragraph, sentence, clause, or word of this ordinance is for any held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this ordinance.

SECTION 7 - EFFECTIVE DATE

The provisions of this ordinance shall become effective May 1, 1999.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this 20th day of April, 1999.

BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY FLORIDA

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS:

BY: Maude Ford Lee

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: Paula Burde

DOROTHY H. WILKEN, CLERK BOARD OF COUNTY COMMISSIONERS

By: Carol Zettelmayer
Deputy Clerk

Filed with the Department of State on the 29th day of April, 1999.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the Board of County Commissioners certify this to be a true and correct copy of the original filed in my office on 4/20/99.
DATED at West Palm Beach, FL on 5/4/99.
DOROTHY H. WILKEN, Clerk
By: Phyllis A. Howe D.C.